

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

MICROSPHERIX LLC,

Plaintiff,

v.

MERCK SHARP & DOHME CORP.,
MERCK SHARP & DOHME B.V.
AND ORGANON USA, INC.,

Defendants.

Civil Action No. 2:17-cv-03984

(CCC/MF)

**NOTICE OF MOTION TO
STRIKE PORTIONS OF
PLAINTIFF'S RESPONSIVE
CLAIM CONSTRUCTION BRIEF,
OR IN THE ALTERNATIVE, FOR
LEAVE TO FILE A REPLY BRIEF**

TO: ALL COUNSEL OF RECORD

PLEASE TAKE NOTICE that Defendants Merck Sharp & Dohme Corp., Merck Sharp & Dohme B.V. and Organon USA, Inc., will move before move before the Honorable Claire C. Cecchi, U.S.D.J., at the Martin Luther King Building, & U.S. Courthouse, 50 Walnut Street, Newark, NJ 07102, on March 1, 2021, or as soon thereafter as counsel may be heard, for entry of an Order, to Strike Portions of Plaintiff's Responsive Claim Construction Brief, or in the Alternative, for Leave to File a Reply Brief.

PLEASE TAKE FURTHER NOTICE that Defendants will rely upon the accompanying memorandum of law, the Declaration of John E. Flaherty, with exhibits, and upon all pleadings and proceedings on file herein.

PLEASE TAKE FURTHER NOTICE that a Proposed Order granting the motion is attached.

Dated: February 1, 2021

Respectfully submitted,

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